

Railway Safety Regulations 1999: Regulation 5

Certificate of Exemption

1. The Office of Rail and Road (ORR) exempts under regulation 6(1) of the Railway Safety Regulations 1999 (the Regulations) the hinged door rolling stock listed in the Schedule from the requirements of regulation 5(1) of the Regulations. ORR grants this exemption to enable **West Coast Railway Company Limited (Company Number 03066109)** (the company) to honour its bookings and to reflect the interests of its employees whilst its judicial review is determined, subject to the conditions below. In granting this exemption ORR has had regard to regulation 6(2) and regulation 6(3) of the Regulations.
2. In this exemption:
 - “railway” has the same meaning as in the Regulations;
 - “Joint TOC document” means the document entitled ‘Charter Train Managers Operation of Coaching Stock fitted with Secondary Door Locking’ prepared by DB Schenker Rail (UK) Limited and West Coast Railway Company Limited;
 - “rolling stock” means any carriage, wagon or other vehicle used on track and includes a locomotive;
 - “safety management system” has the meaning it has in the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS);
3. This exemption applies to the rolling stock with hinged doors for passenger access listed in the Schedule (‘the rolling stock’) and is granted subject to the following conditions:
 - (a) The company must ensure that hinged doors are modified so that:
 - (i) they can be securely locked and clearly labelled as not for passenger use, apart from the necessary access doors at the end of each carriage; or
 - (ii) they are fitted with secondary locks, equivalent to those specified in the Joint TOC document (and any revisions to it that ORR consents to), which are protected by an anti-tamper device and labelled as being for emergency use only; or
 - (iii) all access doors are fitted with secondary door locks that can only be operated by a steward of the company, unless in an emergency.
 - (b) the rolling stock is not used for passenger services on a railway unless:
 - (i) the operator of the rolling stock has and maintains an established safety management system which covers the operation of hinged door rolling stock;

- (ii) competent and adequately trained stewards are provided and are responsible for monitoring doors and passenger behaviour; and for the operation of secondary door locks at all times when passengers are boarding, on-board and alighting the train; any one steward shall be responsible for no more than the doors of any one vehicle or those doors in adjacent vehicles immediately either side of a gangway;
- (iii) passenger announcements and briefing notices are used as appropriate to explain to passengers the door arrangements set out paragraph 3(a).

4. This exemption is valid from 8 August 2023 until 30 November 2023

5. Under regulation 6(1) of the Regulations, ORR may revoke the whole or any part of this exemption, at any time, in writing.



Signed by authority of ORR

8 August 2023



Schedule

The rolling stock vehicles to which this exemption applies are:

Vehicle Number	Type	Date Built
315	'Heron' Mk1 Pullman	1960
325	Mk1 FP Pullman	1960
326	Mk1 PPS Pullman	1960
337	Mk1 PPS Pullman	1960
1800	Mk 2 RSS	1960
1840	Mk1 RMB	1962
1860	Mk1 RMB	1962
1861	Mk1 RMB	1962
1961	Mk1 RK	1960
2833	Mk1 BCK	1964
3058	Mk1 FO	1955
3093	Mk1 FO	1959
3097	First Class Open (FO)	1959
3098	First Class Open (FO)	1959
3119	First Class Open (FO)	1963
3120	Mk1 FO	1963
3121	First Class Open (FO)	1963
3123	First Class Open (FO)	1963
3136	Mk1 FO	1963
3141	First Class Open (FO)	1963

3143	Mk1 FO	1963
3146	First Class Open (FO)	1963
3147	First Class Open (FO)	1963
3149	First Class Open (FO)	1963
3174	Mk2 FO (Saloon)	1971
3182	Mk2 FO (Saloon)	1971
3232	Mk2 FO (Saloon)	1973
3247	Mk2 FO (Saloon)	1973
3267	Mk2 FO (Saloon)	1973
3273	Mk2 FO (Saloon)	1973
3275	Mk2 FO (Saloon)	1973
4849	Mk1 TSO	1959
4854	Mk1 TSO	1959
4905	Mk1 TSO	1961
4940	Mk1 TSO	1962
4951	Mk1 TSO	1962
4959	Open Standard (TSO)	1962
4960	Mk1 TSO	1962
4973	Mk1 TSO	1962
4984	Mk1 TSO	1962
4991	Open Standard (TSO)	1962
4994	Mk1 TSO	1962
4998	Open Standard (TSO)	1962

5009	Open Standard (TSO)	1963
5032	Mk1 TSO	1962
5035	Mk1 TSO	1962
5157	Mk2 TSO	1966
5171	Mk2 TSO	1966
5177	Mk2 TSO	1967
5191	Mk2 TSO	1966
5198	Mk2 TSO	1966
5200	Mk2 TSO	1966
5212	Mk2 TSO	1967
5216	Mk2 TSO	1966
5222	Mk2 TSO	1966
5229	Mk2 TSO	1966
5236	Mk2 TSO	1966
5237	Mk2 TSO	1966
5239	Mk2 TSO	1966
5249	Mk2 TSO	1966
5278	Mk2 TSO	1966
5419	Mk2 TSO	1969
5463	Mk2 TSO	1969
6528	Mk2 TSOT	1970
9391	Mk2 BSO	1966
9392	Mk2 BSO	1966

9440	Mk2 BSO	1966
10729	Mk3 SLE (Sleeper)	1984
10734	Mk3 SLE (Sleeper)	1985
13306	Mk1 FK (to be reconfigured as FO)	1961
13320	Mk1 FK	1962
13440	Mk2 FK	1968
17167	Mk2 BFK (Brake/Support)	1972
21266	Mk1 BCK	1964
35470	Mk1 BSK	1961
35518	Mk2 BFK	1968
92904	Mk1 Baggage Car	1956
99035	Mk1 BSK Queen of S	1962
99052	Mk1 CR41 Diner Wooden Body	1892
99121	Mk1 FO	1955
99122	Mk1 FO	1955
99125	Mk1 FO	1955
99127	Mk1 FO	1955
99128	Mk1 FO	1955
99304	Mk1 BCK	1964
99311	Mk1 RMB	1962
99312	Mk1 BSK	1963
99316	Mk1 FK	1962
99318	Mk1 TSO	1961

99326	Mk1 TSO	1962
99327	Mk1 TSO	1962
99328	Mk1 TSO	1962
99329	Mk1 TSO	1962
99347	Mk1 FO PSK	1960
99348	Mk1 FO PSK	1960
99349	Mk1 PPS Pullman	1960
99350	Mk1 PSK	1960
99351	Mark 1 SP Pullman	1960
99352	Mk1 PSK	1960
99353	Mk1 PPS Pullman	1960
99354	Mk1 PPS Pullman	1960
99361	Mk1 PPS Pullman	1960
99371	Mk1 FO	1963
99670	Mk2 PFP	1966
99671	Mk2 PFP	1966
99672	Mk2 PFP	1966
99673	Mk2 PFP	1966
99674	Mk2 PFP	1966
99675	Mk2 PFP	1966
99676	Mk2 PFP	1966
99677	Mk2 PFB	1966
99678	Mk2 PK	1966

99679	Mk2 PK	1966
99680	Mk2 BFK	1968
99712	Mk1 SK	1962
99716	Mk1 SK	1962
99721	Mk1 SK	1962
99722	Mk1 TSO	1962
99723	Mk1 BSK	1962
99880	Mk1 dine 5159	1890
99881	Mk1 GNR Wooden body	1912
99886	Mk1 Gen car	1963
99971	Mk1 PFK Pullman	1960
99990	Mk1 BFK	1962
999506	Mk1 Obs car	1957

Schedule last updated: 8 August 2023